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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/528,232

03/18/2005

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EXAMINER

LARYEA, LAWRENCE N

ART UNIT

PAPER NUMBER

3768

MAIL DATE

DELIVERY MODE

10/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/528,232

Applicant(s)

TOMITA ET AL.

Examiner

Lawrence N. Laryea

Art Unit

3768

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/30/07
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Examiner acknowledges Applicant's amendment and remarks filed May 11, 2007.

Claims 1-19 and 20 are now pending. The Examiner acknowledges the amendments to Claims 1-4, specification, and as well as addition of Claims 17-20.

Applicant's arguments with respect to the rejection(s) of claim(s) 1-19 and 20 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Gobel et al (Pub 2004/0061059)** in view **Miller et al (Pub. 2001/0013576)**

3. Re claim 1-20: **Gobel et al** teach a radiation detector with a manipulation grip comprising with a main body (**See figs.1-3**) comprising a radiation detecting portion (**2**) for detecting a radiation intensity (**See Paragraph [0001] line 9**), a sound output portion (**51**) for outputting a sound according to a radiation intensity detected by the radiation detecting portion, and a power supply portion (**4**) for supplying power at least to the radiation detecting portion and the display portion. (**See Paragraph [0042] and [0060]**).

4. **Gobel et al** teach a radiation detector wherein the electrical (**integrated**) components are configured with a power supply switch portion for turning on/off the power supply portion (**See Paragraph [0062],[0066] and [0067]**). The power supply includes a battery (**See Paragraph [0072]**). It is inherent to have on/off controller to regulate the energy flow in radiation detector during radiation detecting. (**See Paragraph [0074] and [0074]**).

5. Further Re claims: 4,8,12 and 16: **Gobel et al** teaches a radiation detector wherein a control means is capable of controlling the detection sensitivity variable portion for varying a detection sensitivity of the radiation detecting portion, and the display variable portion for varying at least one of a sound display (**See Paragraph [0027]**).

6. **Gobel et al** teach the claimed invention see rejection supra; however **Gobel et al** does not teach that the radiation detector apparatus comprises a detectable portions with respect to the main body.

7. **Miller et al** teach a radiation detector apparatus comprises a detectable portion (s) with respect to the main body (**See Paragraph [0009]**).

8. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the radiation detector apparatus of **Gobel et al** to incorporate similar teachings of **Miller et al** where a radiation detector apparatus comprises a detectable portion(s) with respect to the main body so that the detached part can be sterilized as taught by **Miller et al**, and also when a part of main body is at

fault or damages it can be replaced easily with a new spare part. ***See In re Dulberg, 289 F.2d 522, 523, 129 USPQ 348, 349 (CCPA 1961)***

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Raylman et al (Patent 6236880) disclose radiation-sensitive apparatus wherein the probe can be connected and disconnected from the main body.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence N. Laryea whose telephone number is 571-272-9060. The examiner can normally be reached on 9:30 a.m.-5:30 p.m. EST.

Art Unit: 3768

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Casler can be reached on 571-272-4956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LNL


Brian Casler
Supervisor
Art Unit 3768